IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4316 OF 2005

M/s.Prabhudas Hirji and Co.
and Ors. ..Applicants

Vs.

State of Maharashtra & Anr. ...Respondents

...
Mr.S.V.Marwadi Advocate for Applicants
Mr.U.V.Nikam A.P.P. for the State
Mr.V.M.Vaghela for Respondent no.2
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : OCTOBER 27, 2005

P.C.

1. Heard the learned advocate for the applicants, the learned A.P.P. for the State and learned advocate for respondent no.2.

2. The applicants are facing prosecution under Section 138 of Negotiable Instruments Act. The applicants had preferred an application under Section 145(2) of Negotiable Instruments Act praying therein that the complainant be asked to step into witness box to record his

examination-in-chief. The said application came to be rejected. Being aggrieved by the said order, this application has been preferred.

3. The learned advocate for the respondent-orignial complainant states that complainant has no objection to step into witness box and record his examination-in-chief as well as for his cross-examination. In this view of the matter, this application is allowed in terms of prayer clause (a).

4. Trial is expedited.

5. Authenticated copy be issued to the parties.

[SMT.V.K.TAHILRAMANI,J.]